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NO. 6687 P. 12

Serial No. 10/536,760
Atty. Doc. No. 2002P19496WOUS

REMARKS

Claims 15 and 27-30 stand rejected under 35 U.S.C. § 112, 2nd paragraph as not being sufficiently definite. Claims 15-30 stand rejected under 35 U.S.C. § 101 as not being appropriately directed to statutory subject matter. Claims 27-30 further stand rejected under 35 U.S.C. § 101 as being directed to two different statutory classes of invention. Applicant appreciates the recognition of allowable subject matter in connection with claims 15-30. Reconsideration of the rejections and allowance of the present application are respectfully solicited in view of the foregoing amendments and the following remarks.

Claims 1-14 were previously canceled. Claims 15 and 27-30 have been amended herein. Claims 15-30 remain pending in the present application.

Claims 15 and 27 were amended to address the concerns noted in the Office Communication regarding the phrase "using an amended technical measurement park". Accordingly, this rejection has been overcome.

Claims 15 and 27 were also amended to highlight utilitarian aspects of the present invention. For example, claim 15 recites outputting a signal indicative of the amended measurement park for performing at least one of the following: selecting respective state variables and/or diagnostic variables to use in designing the technical system, and selecting respective accuracies of state variables and/or diagnostic variables to use in designing the technical system. Basis for the foregoing amendment may be found at least in paragraph 101 of the US patent application publication of the present invention. Moreover, claims 27-30, as amended, are directed to just one statutory class of invention. Accordingly, each basis of rejections under § 101 has been overcome.

Conclusion:

It is respectfully submitted that each of the claims pending in this application recites patentable subject matter and it is further submitted that such claims comply with all statutory requirements and thus each of such claims should be allowed.

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The applicant appreciates the Examiner's efforts and cordially invites the Examiner to call the undersigned attorney if there are any outstanding items that may be resolved via telephone conference.

The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: 5/11/07

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